

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JASON HALLIBURTON,
Plaintiff,

v.

JONATHAN ASHBY,
Defendant.

Case No. 21-cv-06970-WHO (PR)

**ORDER OF CONDITIONAL
DISMISSAL**

Defense counsel has filed a notice in which the following is stated: “Please take notice that on January 23, 2023, defense counsel received a letter from Plaintiff Haliburton, dated and signed January 11, 2023, informing the Attorney General’s Office that Haliburton ‘would like to drop’ this lawsuit and that Haliburton is ‘no longer going to pursue this case.’” (Notice, Dkt. No. 16 at 1.) By way of this notice, the remaining defendant, Ashby, asks for the suit to be dismissed. (*Id.*)


I construe Halliburton’s letter, as communicated by defense counsel’s notice, as a notice of voluntary dismissal without prejudice. So construed, this action is **DISMISSED WITHOUT PREJUDICE**. *See* Fed. R. Civ. P. 41(a)(1)(A)(i).

Because this dismissal is without prejudice, Halliburton may move to reopen. Any such motion must have the words **MOTION TO REOPEN** written on the first page.

The Clerk shall enter judgment in favor of defendants, and close the file.

IT IS SO ORDERED.

Dated: February 28, 2023


WILLIAM H. ORRICK
United States District Judge